

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LUVETRIA GAMBILL, individually and as)	
parent and natural guardian of CARLOS)	
TATE, an infant, on behalf of themselves)	No. CA02-200
and all other persons similarly situated,)	
)	
Plaintiffs,)	Judge Cohill
)	
v.)	
)	
THE HOUSING AUTHORITY OF THE)	
CITY OF ERIE, a Pennsylvania Housing)	
Authority,)	
)	
Defendant.)	

MOTION TO APPROVE PAYMENT OF ATTORNEY'S FEES AND COSTS

Plaintiffs' counsel hereby moves this Court for the entry of an Order approving the payment by the Housing Authority Of The City Of Erie of \$15,000.00 for attorney's fees and costs, and in support thereof, avers as follows:

1. In this lawsuit, the Plaintiffs sought injunctive relief on a class wide basis compelling Housing Authority Of The City Of Erie (HACE), in connection with the Section 8 programs it administers, to comply with certain federal statutes and regulations designed to protect children from being lead poisoned as a result of being exposed to lead-based paint present in and around Section 8 housing.

2. The parties resolved the claims for injunctive relief by agreeing to the entry of a Consent Decree, which was entered by the Court on August 2, 2007.

3. HACE also agreed as part of this settlement to pay attorneys' fees and costs in the amount of \$15,000.00.

4. Plaintiffs' counsel moves this Court to approve the payment of \$15,000 for attorneys fees and costs. Plaintiffs' counsel spent significant time litigating this action, reviewing documents produced in connection with this action, negotiating with counsel for HACE, drafting and reviewing the documents presented to this Court, which were necessary to consummate this settlement. These settlement documents Joint Motion For Class Certification And Entry of Consent Decree; the Consent Decree and Exhibits to Consent Decree; Final Dismissal and Bar Order.

5. Due to the amount of time and energy that has gone into resolving this complex matter, Plaintiffs' counsel believes that the payment of \$15,000 is just and reasonable, especially in light of the fact that if an hourly rate of \$250 per hour is used, this payment reflects compensation of only 60 attorney hours, substantially less time than was spent on this litigation.

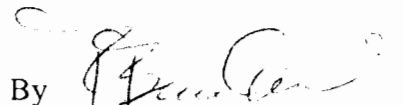
6. It is the understanding of Plaintiffs' counsel that the \$15,000 will be paid by HACE's insurance carrier.

WHEREFORE, for the foregoing reasons, Plaintiffs' counsel respectfully requests that this Court enter an Order approving HACE's payment of \$15,000 for attorneys' fees and costs.

A proposed Order is attached.

Respectfully submitted,

CARLSON LYNCH

By 

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ORDER OF COURT

Upon review and consideration of plaintiffs' counsel's Motion to Approve Payment of Attorney's Fees and Costs, it is hereby ORDERED, ADJUDGED and DECREED that the Motion is granted and plaintiffs' counsel's request for attorney's fees and costs in the amount of \$15,000 is approved and in accord with the agreement of the parties, the \$15,000 will be paid on behalf of HACE by its insurance carrier.

BY THE COURT:

_____. J.